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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Masaaki Noro

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11/17/2006

STAAS & HALSEY LLP

SUITE 700

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EXAMINER

ALAM, UZMA

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

This action is responsive to the amendment filed on September 8, 2006. Claims 19-23 have been elected and are pending. Claim 23 is amended. Claims 19-23 represent a communications control method.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Wellig et al. US Patent No. 6,580,704. Wellig teaches the invention as claimed including a method for providing direct mode communication between two mobile terminals (see abstract).

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As per claims 19-22, Wellig teaches a communications control method, a communications terminal, a computer readable medium, and a communications control computer product utilized by a first communications terminal T1 connectable via a network with a second communications terminal T2, the communications control method, terminal, function, and program for executing including:

a reporting step of reporting to the second communications terminal T2 first communications identification information S1 identifying communications between the second communications terminal T2 and the first communications terminal T1 (establishing and initiating communication information between first and second mobile terminal; column 5, lines 1-5; column 6, lines 56-67; column 7, lines 1-15; column 10, lines 36-67; column 11, lines 1-25);

a receiving step of receiving from the second communications terminal T2 second communications identification information S2 that the second communications terminal T2 uses for identifying communication with the first communications terminal T1 (sending address identifiers of the first and second mobile terminals to the second and first mobile terminals respectively; column 5, lines 6-10; column 8, lines 31-67; column 11, lines 34-54); and

a communications step of communicating with the second communications terminal T2 by carrying out transmission and reception of data containing the first communications identification information S1 and second communications identification information S2 (exchanging DM communications; column 5, lines 11-25; column 8, lines 31-67; column 12, lines 1-39).

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As per claim 23, Wellig teaches a communications method for when, via a secure host defending against wrongful access from without, internal terminal devices connected to a network on the inside of the secure host and external terminal devices connected to a network on the outside carry out voice communications, the communications method characterized by:

accepting by way of the secure host, from outside the secure host, a call request from an external terminal device to a connectable internal terminal device, or accepting by way of the secure host, from inside the secure host, a call request from an internal terminal device to a connectable external terminal device (establishing and initiating communication information between first and second mobile terminal; column 5, lines 1-5; column 6, lines 56-67; column 7, lines 1-15; column 10, lines 36-67; column 11, lines 1-25);

when a call between the external terminal device and the internal terminal device is established, reporting to the two terminal devices a path readied in advance for transmitting and receiving voice data, and communications identification information for distinguishing what is voice data between the terminal devices, and meanwhile storing terminal-device information identifying the two terminal devices, correlatively with the communications identification information reported to the two terminal devices (sending address identifiers of the first and second mobile terminals to the second and first mobile terminals respectively; column 5, lines 6-10; column 8, lines 31-67; column 11, lines 34-54);

when the secure host has received from the external terminal device or the internal terminal device voice data containing the communications identification information, specifying, from the terminal-device information stored correlatively with the communications identification information, a communications-destination terminal device for the voice data, and sending out

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received voice data to the specified terminal device 1 (exchanging DM communications; column 5, lines 11-25; column 8, lines 31-67; column 12, lines 1-39).

Response to Arguments

3. Applicant's arguments filed September 8, 2006 have been fully considered but they are not persuasive.

4. The reply filed on March 6, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The last office action used Wellig US Patent No. 6,580,704 as the basis for the rejection. Applicant's arguments, however, reference Tung and do not address the rejection as presented in the last office action and therefore do not overcome the rejection. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 5:30 AM - 2:00 PM.

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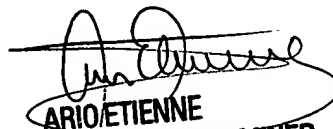
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam

Ua

November 7, 2006


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